

## STATEMENT OF BASIS

as required by LAC 33:IX.3109 for a draft permit for which a fact sheet under LAC 33:IX.3111 is not prepared, for draft Louisiana Pollutant Discharge Elimination System Permit No. LA0095761; AI 24831; PER20070002 to discharge to waters of the State of Louisiana as per LAC 33:IX.2311.

The permitting authority for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality  
Office of Environmental Services  
P. O. Box 4313  
Baton Rouge, Louisiana 70821-4313

- I. THE APPLICANT IS:** Colt, Inc.  
Post Office Box 1408  
Scott, Louisiana 70583
- II. PREPARED BY:** Todd Franklin
- DATE PREPARED:** July 18, 2007
- III. PERMIT ACTION:** issue LPDES permit LA0095761, AI 24831; PER20070002
- LPDES application received: June 26, 2007  
Administrative Completeness Determination: June 27, 2007
- EPA has not retained enforcement authority.
- Previous LPDES permit effective: September 1, 2002  
Previous LPDES permit expires: August 31, 2007

**IV. FACILITY INFORMATION:**

- A. The application is for the discharge of **contact cooling water, treated sanitary wastewater, and industrial storm water** from a tire processing facility.
- B. The facility is located at 1223 Delhomme Avenue in Scott, Lafayette Parish.
- C. The treatment facility will consist of an oil/water separator to treat the cooling water and a mechanical sewage treatment plant with aeration and chlorination to treat the sanitary wastewater.
- D. Outfall 001
- Discharge Location: Latitude 30° 14' 6" North  
Longitude 92° 6' 49" West
- Description: The facility operations consist of debanding and shredding of whole tires. When shredding the tires, cooling water is misted over the blades. The cooling water is collected, treated, and discharged.
- Expected Flow: 1,500 gallons per day (GPD)

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Outfall 002

Discharge Location: Latitude 30° 14' 9" North  
 Longitude 92° 6' 46" West

Description: treated sanitary wastewater

Expected Flow: 600 GPD

Outfall 003

Discharge Location: Latitude 30° 14' 6" North  
 Longitude 92° 6' 50" West

Description: industrial storm water from the fire/detention pond located on the southwest side of the property

Expected Flow: varies

V. **RECEIVING WATERS:**

The discharges from Outfalls 001, 002, and 003 flow into an open ditch; thence into Coulee Ile des Cannes in Subsegment 060802 of the Vermilion-Teche River Basin. This Subsegment is not listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Subsegment 060802 of the Vermilion-Teche River Basin are as indicated in the table below<sup>1/</sup>:

Overall Degree of Support for Segment	Degree of Support of Each Use						
Not Supported	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
	Not Supported	Not Supported	Not Supported	N/A	N/A	N/A	Full

<sup>1/</sup>The designated uses and degree of support for Subsegment 060802 of the Vermilion-Teche River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. **ENDANGERED SPECIES:**

The receiving waterbody, Subsegment 060802 of the Vermilion - Teche River Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006, from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations

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established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

**VII. HISTORIC SITES:**

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

**VIII. PUBLIC NOTICE:**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation  
Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mr. Todd Franklin  
Permits Division  
Department of Environmental Quality  
Office of Environmental Services  
P. O. Box 4313  
Baton Rouge, Louisiana 70821-4313

**IX. PROPOSED PERMIT LIMITS:**

Subsegment 060802; Vermilion River-from New Flanders (Ambassador Caffery) Bridge, La. Hwy. 3073 to Intracoastal Waterway; is not listed on LDEQ's Final 2004 303(d) list as impaired. However, Subsegment 060802 was previously listed as impaired for phosphorus, nitrogen, organic enrichment/low DO, pathogen indicators, suspended solids/turbidity/siltation, and carbofuran, for which the below TMDLs have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDLs and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDLs for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for Subsegment 060802:

1999 Review and Assessment of the 1987 Vermilion River Watershed TMDL for Dissolved Oxygen

This TMDL re-established that NPDES permits for individual point sources in the Vermilion Watershed should continue to be issued on the basis of flow rates as follows:

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FLOW RATE

greater than 25,000 gpd

25,000 gpd or less

PERMIT LIMITSMay – Dec.: 10 mg/l CBOD<sub>5</sub>/5 mg/l NH<sub>3</sub>-N/5 mg/l DOJan.- April: 20 mg/l CBOD<sub>5</sub>/10 mg/l NH<sub>3</sub>-N/5 mg/l DOsecondary limits for BOD<sub>5</sub> year round

Outfall 002, treated sanitary wastewater, will have secondary limits for BOD<sub>5</sub>.

Based on the size of Outfall 001 and the type of discharge, this Department believes that the contact cooling water from Outfall 001 will not cause or contribute to further impairment to the Vermilion River. Therefore, the above listed parameters shall not apply to the outfall. However, COD limitations shall remain in the permit to ensure that the discharge does not cause or contribute to further impairment.

Vermilion River TMDL for Fecal Coliform

The *Vermilion River TMDL for Fecal Coliform* was finalized on April 5, 2001, addressing the presence of pathogen indicators in the watershed. As per this TMDL, "...there will be no change in the permit requirements based upon a wasteload allocation resulting from this TMDL." Therefore, Fecal Coliform effluent limitations shall remain for Outfall 002, which discharges treated sanitary wastewater.

TMDL for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin

As per the *TMDL for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin*, point source loads are so small as to be insignificant, and because effective policies are in place to limit TSS discharges, no specific reductions from point sources are required. Therefore, TSS limits will remain as previously permitted.

TMDL for the Pesticide Carbofuran in the Mermentau and Vermilion-Teche River Basins

The *TMDL for the Pesticide Carbofuran in the Mermentau and Vermilion-Teche River Basins* was finalized on March 21, 2002, and states no point sources are known to discharge Carbofuran; therefore, no allocation was given to point source discharges in the Vermilion-Teche River Basin.

**Final Effluent Limits:****OUTFALL 001 - contact cooling water**

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Average	Daily Maximum	Basis
Total Suspended Solids (TSS)	---	45 mg/l	Limitations are placed on the outfall due to the fine, inert like, rubber particles that result from the shredding of tires. Limitation is derived from General Permit Number LAG480000 for Discharges from Light Commercial Facilities (Schedule B).
Chemical Oxygen Demand (COD)	---	100 mg/l	Limitation derived from the previous permit effective September 1, 2002.
Oil & Grease	---	15 mg/l	Limitation is derived from General Permit Number LAG480000 for Discharges from Light Commercial Facilities (Schedule B).

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Visible Sheen	---	No Presence**	Limitation is derived from General Permit Number LAG480000 for Discharges from Light Commercial Facilities (Schedule B).
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\*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement.

\*\*The limitation shall be "No Visible Sheen." Visual Observation shall be made once per day when discharge occurs and the presence or absence of a sheen shall be recorded in a log. If a visual sheen is present, a letter of noncompliance shall be submitted in accordance with Part III.D.6.e. A manual log shall be retained at the facility for three years. No DMR reporting shall be required

**Other Effluent Limitations:****1) pH**

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.).

**2) Solids and Foam**

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

**OUTFALL 002 – treated sanitary wastewater**

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Weekly Avg.	Basis
BOD <sub>5</sub>	30 mg/l	45 mg/l	Limits are set in accordance with the <i>1999 Review and Assessment of the 1987 Vermilion River Watershed TMDL for Dissolved Oxygen</i> .
TSS	---	45 mg/l	Limitations are derived from the Class I Sanitary General Permit (LAG530000).

\*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD<sub>5</sub> and TSS in terms of concentration.

**Other Effluent Limitations:****1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.b.i, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order

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to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

## 2) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.).

## 3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

## OUTFALL 003 – Industrial storm water from the fire/detention pond

Effluent Characteristic	Benchmark Monitoring Cutoff Concentration <sup>1</sup>	Daily Maximum	Basis
COD	120 mg/l	---	LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. Sector N.
TSS	100 mg/l	---	LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. Sector N.
Total Recoverable Aluminum	0.75 mg/l	---	LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. Sector N.
Total Recoverable Copper	0.0636 mg/l	---	LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. Sector N.
Total Recoverable Iron	1.0 mg/l	---	LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. Sector N.
Total Recoverable Lead	0.0816 mg/l	---	LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. Sector N.
Total Recoverable Zinc	0.117 mg/l	---	LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. Sector N.
Total Organic Carbon (TOC)	---	50.0 mg/l	LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. Sector N.
Oil & Grease	---	15.0 mg/l	LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. Sector N.

<sup>1</sup> See "Benchmark Monitoring Instructions" in Part X.

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**Other Effluent Limitations:****1) pH**

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.2645.C.).

**2) Solids and Foam**

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

**3) Storm Water Pollution Prevention Plan (SWP3) Requirement**

The permittee shall prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. The terms and conditions of the SWP3 shall be an enforceable Part of the permit. If the permittee maintains other plans that contain duplicative information, that plan could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasure Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. EPA document 832/R-92-006 (Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices) may be used as a guidance and may be obtained by contacting EPA's Water Resource Center at (202) 260-7786 or [center.water-resource@epa.gov](mailto:center.water-resource@epa.gov).

**X****BENCHMARK MONITORING INSTRUCTIONS**

Benchmark monitoring is primary for the permittee's use in determining the overall effectiveness of its SWPPP controls related to protection of water quality. Benchmark values are not limitations and exceedance of a benchmark value does not, in and of itself, constitute a violation of the permit. While exceedance of a benchmark value does not automatically indicate that violation of a water quality standard has occurred in the receiving water, it can indicate areas where improvement of the SWPPP may be necessary or identify facilities that may need the more specific controls placed into the permit.

As incentive for the permittee to improve its SWPPP and to avoid the cost of monitoring, a waiver of monitoring in Year 4 is available if the discharge is below benchmark values in Year 2 of the permit.

Benchmark monitoring shall be conducted in Year 2 (12 months after the effective date of the permit) and Year 4 (36 months after the effective date of the permit). Monitoring shall be conducted annually during both monitoring periods. However, if in Year 2 of monitoring, the permittee has conducted all the monitoring and if all the values fall below the benchmark monitoring requirements, the permittee shall not be required to perform the benchmark monitoring in Year 4 of the permit.

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**XI. PREVIOUS PERMITS:****LPDES Permit No. LA0038253:** Effective: September 1, 2002

Expires: August 31, 2007

Outfall 001

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Monthly Avg.</u>	<u>Weekly Avg.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	1/quarter	Estimate
TSS	---	45 mg/l	1/quarter	Grab
COD	---	100 mg/l	1/quarter	Grab
Oil & Grease	---	15 mg/l	1/quarter	Grab
Visible Sheen	No Presence		1/day	Observation
pH	Range (6.0 su – 9.0 su)		1/quarter	Grab

Outfall 002

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	1/6 months	Estimate
BOD <sub>5</sub>	30 mg/l	45 mg/l	1/6 months	Grab
TSS	---	45 mg/l	1/6 months	Grab
Fecal Coliform				
Colonies/100 ml	200	400	1/6 months	Grab
pH	Range (6.0 su – 9.0 su)		1/6 months	Grab

**XII. ENFORCEMENT AND SURVEILLANCE ACTIONS:****A) Inspections**

There have been no recent inspections performed at this facility.

**B) Compliance and/or Administrative Orders**

A review of the files indicates that no enforcement actions have been administered against this facility.

**C) DMR Review**

A review of the discharge monitoring reports for the period beginning January 2005 through December 2006 has revealed the following violations:

Parameter	Outfall	Period of Excursion	Permit Limit	Reported Quantity
COD, Weekly Avg.	001	January – March 2005	100 mg/l	231 mg/l
TSS, Weekly Avg.	001	April – June 2005	45 mg/l	47 mg/l
COD, Weekly Avg.	001	October – December 2005	100 mg/l	143 mg/l
COD, Weekly Avg.	001	April – June 2006	100 mg/l	247 mg/l
TSS, Weekly Avg.	001	July – September 2006	45 mg/l	104 mg/l



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COD, Weekly Avg.	001	July – September 2006	100 mg/l	223 mg/l
TSS, Weekly Avg.	001	October – December 2006	45 mg/l	160 mg/l
COD, Weekly Avg.	001	October – December 2006	100 mg/l	141 mg/l
BOD <sub>5</sub> , Monthly Avg.	002	January – June 2005	30 mg/l	39 mg/l
Fecal Coliform, Monthly Avg.	002	January – June 2005	200 cfu/100 ml	>600 cfu/100 ml
Fecal Coliform, Weekly Avg.	002	January – June 2005	400 cfu/100 ml	>600 cfu/100 ml
Flow, Monthly Avg.	002	July – December 2005	Report	Did not Report
Flow, Weekly Avg.	002	July – December 2005	Report	Did not Report
Fecal Coliform, Monthly Avg.	002	July – December 2005	200 cfu/100 ml	15,000 cfu/100 ml
Fecal Coliform, Weekly Avg.	002	July – December 2005	400 cfu/100 ml	15,000 cfu/100 ml
pH	002	July – December 2005	Within the Range of 6.0 and 9.0 su	Did not Report
Fecal Coliform, Monthly Avg.	002	January – June 2006	200 cfu/100 ml	37,505 cfu/100 ml
Fecal Coliform, Weekly Avg.	002	January – June 2006	400 cfu/100 ml	75,000 cfu/100 ml
TSS, Weekly Avg.	002	July – December 2006	45 mg/l	144 mg/l

## XIII.

**ADDITIONAL INFORMATION:**

LDEQ reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future. Additional limitations and/or restrictions are based upon water quality studies and can indicate the need for advanced wastewater treatment. Water quality studies of similar dischargers and receiving water bodies have resulted in monthly average effluent limitations of 5mg/L CBOD<sub>5</sub> and 2 mg/L NH<sub>3</sub>-N. Prior to upgrading or expanding this facility, the permittee should contact LDEQ to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

The following **Monitoring Requirements, Sample Types, and Frequency of Sampling** are required in this permit.

**Outfall 001****Effluent Characteristics****Monitoring Requirements**

	<b><u>Measurement Frequency</u></b>	<b><u>Sample Type</u></b>
Flow	1/quarter	Estimate
TSS	1/quarter	Grab
COD	1/quarter	Grab
Oil & Grease	1/quarter	Grab
pH	1/quarter	Grab
Visible Sheen	1/day	Observation

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Outfall 002Effluent CharacteristicsMonitoring Requirements

	<u>Measurement</u> <u>Frequency</u>	<u>Sample</u> <u>Type</u>
Flow	1/6 months	Estimate
BOD <sub>5</sub>	1/6 months	Grab
TSS	1/6 months	Grab
Fecal Coliform	1/6 months	Grab
pH	1/6 months	Grab

Outfall 003Effluent CharacteristicsMonitoring Requirements

	<u>Measurement</u> <u>Frequency</u>	<u>Sample</u> <u>Type</u>
Flow	1/year	Estimate
TOC	1/year	Grab
Oil & Grease	1/year	Grab
pH	1/year	Grab
COD	1/year <sup>1</sup>	Grab
TSS	1/year <sup>1</sup>	Grab
Total Recoverable Aluminum	1/year <sup>1</sup>	Grab
Total Recoverable Copper	1/year <sup>1</sup>	Grab
Total Recoverable Iron	1/year <sup>1</sup>	Grab
Total Recoverable Lead	1/year <sup>1</sup>	Grab
Total Recoverable Zinc	1/year <sup>1</sup>	Grab

<sup>1</sup> Monitor annually for the year 2 and year 4 Monitoring Years. See Part X for the Year 4 exception.

**XIV TENTATIVE DETERMINATION:**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

**XV REFERENCES:**

Louisiana Water Quality Management Plan, Vol. 8, "Wasteload Allocations and Discharger Inventory", Louisiana Department of Environmental Quality, 2002.

Louisiana Water Quality Management Plan, Vol. 5, "Water Quality Inventory", Louisiana Department of Environmental Quality, 2002.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards", Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart B - "The LPDES Program", Louisiana Department of Environmental Quality, 2004.

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Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Colt, Inc., June 26, 2007.